IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5481 of 2005

Between:

Akhil Recreation Club Private Limited,

Represented by its Secretary, G. Kishore Reddy,
S/o. Subba Reddy, aged about 35 years, R/o. Ambedkarnagar,

Veedi Road, Sathupalli, Khammam District.

..... PETITIONER

AND

1 The Superintendent of Police, Khammam District, at Khammam.
2 The Station House Officer, Sathupalli (Town) Police Station,
Khammam District.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ Order or Direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner club as being arbitrary, illegal, unconstitutional and contrary to the judgment of the Hon'ble Supreme Court in State of A.P. Vs. K. Satyanarayana reported in AIR 1968 SC 825 and in 2002 (5) ALT (DB) page 805 and consequently direct the respondents not to interfere with the playing of rummy with stakes/syndicate by the members of the petitioners club within the club premises and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.PALLENAGESWAR RAO

Counsel for the Respondent Nos.1 & 2: G.P. FOR HOME

The Court at the stage of admission made the following:

ORAL ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home.

2. This Writ Petition is filed seeking to declare the action of the respondents herein, in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner-club as arbitrary, illegal, and consequently direct the respondents not to interfere with the playing of rummy with stakes/syndicate by the members of the petitioner-club within the club premises.

3. Time and again, this Court categorically held that 13 cards game is a game of skill and the respondents shall not interfere with the playing of 13 cards game. Same is the view taken by in a Division Bench of this Court in ***Twin Cities Cinema Cultural Centre (Formerly Twin Cities Club) Vs. Commissioner of Police*** [2002(5) ALT 805 (DB)] in Writ Appeal No.1167 of 2002, dated 29-07-2002**.**

4. Therefore, the respondents are directed not to interfere with the lawful activities of the petitioner-club, particularly with the playing of 13 cards game with or without betting. However, the respondents are at liberty to interfere with the unlawful activities, if any, going on in the petitioner-club and to take appropriate action in that regard.

5. With the above observation and direction, the writ petition is disposed of, at the stage of admission. However, there shall be no order as to costs.

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D.S.R. VARMA, J

21ST MARCH 2005

Note:

Issue CC in two days

(B/o.)

ISN

ASSISTANT REGISTRAR

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SECTION OFFICER

To

1 The Superintendent of Police, Khammam District, at Khammam.
2 The Station House Officer, Sathupalli (Town) Police Station, Khammam District.

3. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

4. Two CD copies

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.5481 of 2005

Note:

Issue CC in two days

21st March 2005